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TEAMSTER CONVOY DISPATCH

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VOICE OF THE TEAMSTER RANK AND FILE SINCE 1975 — May 1988 #78

Local Officers Speak Out

New Union Leadership Needed

Some 400 leaders of most major Teamster locals filed into the ballroom of the Holiday Inn near Chicago's O'Hare Airport April 7 to hear what the International Union would announce about the National Master Freight Agreement, covering 200,000 Teamsters. Normally, they would sit and listen, clap when told to and go home to tell the members it's a great deal. But not this time.

This time significant opposition mounted against the agreement and the leadership that came up with such a deal. Something new is up.

Many of them were disgusted with what was offered. Major problems were not dealt with at all. Not one word was negotiated on stopping loss of jobs to non-union divisions, to a growing and abused casual workforce and to brokers. A "cost of living clause" was announced that provides protection for up to 2% inflation! The last time inflation stood at 2% in this country was 30 years ago. Several new and insulting concessions were inserted, and concessions of 1982 and 1985 were left in place for the most part. There were some improvements, but not enough to balance the deal out.

Why did a number of local officers speak out in Chicago and later to their membership back home? After all, since 1982 the International has signed several concessionary and two-tier contracts, two of which have been rejected by the members by over 80%, and few officers have raised objections. Could it be they are starting to feel some heat from the members? Did the majority No vote on the recent UPS contract send them a message? Did they feel they could speak up because with Presser ill and facing trial there is no force to keep them in line? Or was it simply that after six years of defeatism they understand that rank and file members are angry and want and deserve better?

Whatever the reasons, they spoke out. They acted – at least some of them – as if they worked for the membership instead of Presser or Mathis. At the end of the meeting freight director Jack Yager called for a voice vote to approve the contract, and it was close. Too close for comfort for the top officials and their employer friends. For once, a sizable number of our local officers acted like real Teamsters instead of puppets.

More than the master freight contract is at stake here. This is a very positive development. For years we've heard too often the tired phrase "my hands are tied," or even, "you're lucky you're working." But on April 7 we saw something new and exciting, a number of local presidents and secretary-treasurers speaking out for the rank and file. From Boston to Houston, from New York to Indianapolis to Los Angeles they went home to large meetings to recommend that members reject the proposed deal. Some spoke about the need to take on the employers, for majority rule on our contracts and the right to vote on contract supplements. Hopefully, this development will go well beyond this one contract.

We have a union without leadership

continued on page 4

Members Want 30-and-Out

Storm over Central States Pension

As predicted, the NMFA contained increased moneys for pensions and H&W at 20 cents a year, but a last minute renegotiation on April 6 shifted 15 cents from wages to benefits to provide 35¢-20¢-20¢ over three years for H&W and pension funds. But for most members the important matter is how much will pensions go up?

The answer, based on the discontent all across the Midwest and South, areas covered by the Central States Pension Fund, is "not enough!"

Members were ready for the usual trick used by the CSPF of sending out a new benefit schedule with the contract ballots to lead some members to believe that rejecting the contract would somehow reject the pension hikes. But they were not ready for what they found out this time.

Instead of raising the 30-and-out benefit from $1,000 to $1,500 or $2,000, to match the level of the Local 710 fund, they left it at $1,000. They are proposing raises in benefits but tying them to age. So it is possible to get a $2,000 pension, but you have to be at least 65 years old, have 30 contribution years, and wait an extra year to boot. Members with 30 years but under 57 get zero increase at all in the CSPF for the next three years under this deal.

A Teamster with 30 contribution years at age 60 can get up to $1,350 and up to $1,600 by waiting an additional year.

Freight contract meetings on April 9-10 heard lots of grumbling over the switch in benefits, especially since 15 cents had just been taken from wages for Central States! The Central States H&W had said they would cut out benefits for retirees unless extra money was diverted from wages.

This also caused resentment in other areas of the country that are not in the Central States fund but where wages were cut just the same, from a 50-cent to a 35-cent raise.

Petition Drive Launched

TDUers have launched a petition drive to have the pension schedule changed, and to provide the $2,000 without having to work until age 65. This effort, coupled with a NO vote on the contract, could possibly do the trick. If you are interested, contact the TDU office today.

Your Vote for the Future

☐ **Join TDU**

☐ **Do nothing and hope things get better**

TDU is working for a new direction and new leadership. If you want to see a strong, democratic Teamsters Union, do your part. For just $30 you can cast your vote for a stronger contract and a better future. Join us today.

TDU MEMBERSHIP APPLICATION

Name_____ Local Union #_____
(please print)

Address _____

City_____ State or Province_____ Zip_____

Phone (___) _____ Company _____

☐ City ☐ Road ☐ Dock ☐ Clerical ☐ Warehouse ☐ Construction ☐ Production

☐ Other_____

___$30 membership fee for one year's membership & subscription to CONVOY DISPATCH.

___$75 three year membership fee. ($10 of this shall be rebated to the local chapter.)

___$15 for spouses; retirees; & Teamsters who gross less than $12,000 a year.

☐ Check or money order ☐ Cash

☐ Mastercard/Visa: #_____ Exp. date___/___

Date_____ Signature _____

Return to: TDU, P.O. Box 10128, Detroit, Michigan 48210
(TDU membership is kept confidential from employers and union officials)

Teamsters for a Democratic Union
P.O. Box 10128
Detroit, Mich. 48210
(313) 842-2600

JACKSON, MS
PM
JAN
1987

From the Members

Chicagoans Resist Wage Shakedown

The following is an edited version of a letter sent to Jackie Presser on March 10. It tells the truth about ESOPs and profit-sharing plans: workers pay for the right to work and in exchange receive worthless stock and empty promises for a share of profits. Given the contract language on wage reductions in Article 6, Section 2 of the proposed master agreement, the letter is particularly haunting and foreboding.

We are a large group of black and white working men who are employed as drivers, dockmen and yardmen at Advance Transportation Co., Bedford Park, Ill. We have a big problem and need help. We feel that Advance is doing something that is not entirely legal. Please let us explain.

PLAN 1. In 1982-1983, Advance asked the employees to participate in a 5% wage return program. Advance stated they needed the employees' help. So the employees gave the money for the one year. Afterwards we received a letter from them on Jan. 16, 1984, that stated "there will be no repayment of the employees' wages that were withheld during the period 1982-1983." We the employees felt that it was OK as we were helping our company.

PLAN 2. In the summer of 1984, Advance devised yet another plan to get money from their employees. They called it ESOP, Employee Stock Ownership Plan. The plan took 12% of our gross pay from Oct. 1, 1984, through March 31, 1988. We checked with a corporate attorney and were told that for every $8 out of our paycheck $7 goes back to the company and only $1 is used to purchase stock. Advance is a family owned business. This means we cannot sell our stock whenever we want to. We can only sell it back to the company, at a price of their choosing ...so basically we feel the stock is worthless. Also, we can only sell it if we leave the company, retire, or die.

A truck driver retired after paying into the plan for nine months. This amounted to a $3,500 contribution to the plan. When he left the company he received a check for $56. Tell us IS THAT FAIR? IS THAT LEGAL?

Approximately 90% of the employees signed the plan for fear of losing their jobs. If you refused to sign up for ESOP, the bosses called you into their office five to ten times harassing you until you gave in and signed. Now that this ESOP plan is almost over, Advance has decided that all this extra cash is too good to pass up. So Advance has come up with yet another plan to get money from their employees for another three years. This new plan is called Employees Wage Contribution and Profit Sharing Plan. They want another 12% of our wages.

The company let the employees vote on this new plan approximately six weeks ago and we voted against it. The company apparently did not like this so they asked the union (Local 710) to talk to the employees. Mr. James Ramiraz, the union representative, came to the company and started to tell us what a good deal it is. Actually it was more like, "if you don't sign the company will close the doors," or "they will close the doors and reopen as non-union."

We employees, as a group, do not have college educations nor are we familiar with corporate financial matters. The company knew that if enough people scared us and told us that they would close we would change our minds. The company decided to have another vote. The second vote was yes, because the majority of the employees were afraid of losing their jobs. Since the vote was yes, the company decided to make participation in the plan mandatory. We who voted NO want no part of the plan and do not feel it is right for the company to force this upon us.

We as family men are not rich and have a difficult time making ends meet. Some of us have to work two jobs because of ESOP taking away our money. Because of this we see our families less and less in order to just survive. Between the company and the union, they both would like us to work for free, but still pay union dues and contribute in worthless stock plans. We thought that slavery was against the law.

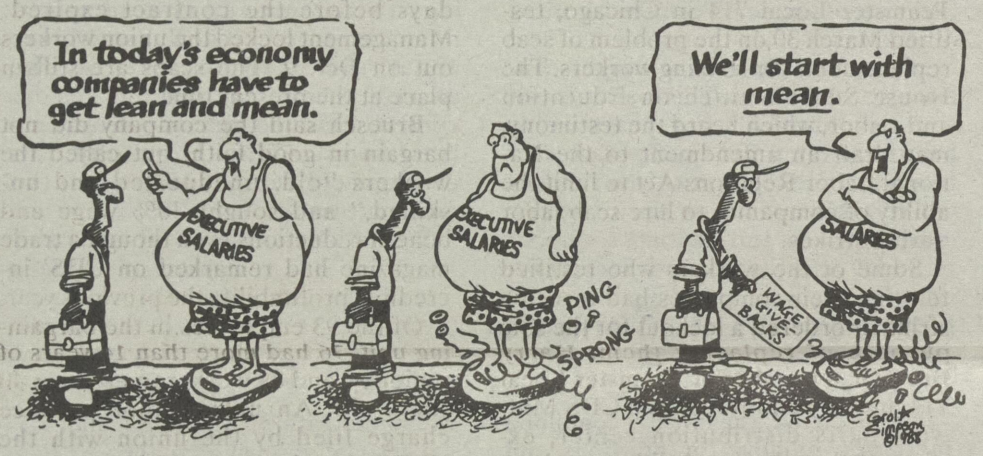
Advance is telling the employees that they are broke and have no money to meet their expenses. If they are so broke why is Advance giving approximately 85% of its customers discounts ranging from 30% to 60%?

We who voted NO want no part of this or any other plan. We paid our money into ESOP and have very little to show for it and now they want more. Maybe you should have the company pay union dues instead of us, as it seems the union cares more for the company than it does for us.

Advance can close its doors for good and lock us out. If that happens, all of America will know what kind of people run our companies and unions. All we want are decent lives for our families, and Local 710 and Advance want to take that away from us. We cannot even say we make a middle-class income anymore. Instead of our wages going up, our wages are hitting rock bottom. Advance's executives with ESOP gave themselves a $70,000 raise in pay. Before ESOP three years ago their salaries were $130,000 a year; now they're $200,000 a year.

All we want is an answer to our problem. We have only two weeks until the new union contract goes into effect. At that time it will be in our contract. PLEASE HELP US!

Sincerely,
Advance Transportation Employees



How to Contact TDU

We want to hear from you. Contact us at one of the locations listed below for more information about TDU, or to send us articles or letters concerning Teamster-related issues.

TDU National Office: P.O. Box 10128, Detroit, MI 48210. (313) 842-2600.

TDU/PROD Washington Office: 2000 P St. NW, Room 612, Washington, DC 20036. (202) 785-3707.

TDU NY/NJ Office: YWCA Building, Room 620, 30 Third Ave., Brooklyn, NY 11217. (718) 834-0631.

Teamster Western-area Organizer: Doug Allan, P.O. Box 7445, La Verne, CA 91750 (714) 593-9791.

TDU Steering Committee

Co-Chairs:
Pete Camarata, #299
Joe Day, #170
Diana Kilmury, #213
Michael Savwoir, #41

Organizer:
Ken Paff, #407

Trustees:
Sarah Bequette, (#600)
Mike Friedman, #407
Tom Pizzuto, #863

Members:
John Braxton, #623
Dan Campbell, #486
Sam Fenn, #63
Doak Jones, #70
Doug Mims, #728
Michael Ruscigno, #138
Gail Sullivan, #278

Alternates:
Don Landis, #773
Scott Askey, #63
J. Anthony Smith, #639

MOVING? Please notify us of any change of address. Otherwise you will not receive your *Convoy Dispatch*, as it is sent third class mail and will not be forwarded to you. Use the membership application in any issue of the paper to let us know you are moving, and write on the top of the form: **CHANGE OF ADDRESS.**

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Who We Are

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers, warehouse workers — every kind of Teamster and spouses too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in October 1987 for one year. Our Rank & File Convention had over 400 representatives present.

We are proud Teamsters standing up for our rights. TDU invites all Teamsters interested in defending our contracts and reforming our union to join us. We do reserve the right to exclude those who are opposed to reform or to TDU and its principles.

Rank & File Bill of Rights

I. DEMOCRATIC BY-LAWS. All Business Agents and Stewards should be elected. Vacancies in offices should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining their company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent till proven guilty, right to remain on the job till final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right backed up by our union to refuse unsafe work or hazardous conditions. We are not machinery.

VI. EIGHT HOUR DAY AND FIVE DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25 and out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the difference in age, race, and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.

Washington Watch

Your Rights to a Fair Contract Vote

Just what rights do you have to a fair contract ratification procedure? This question is asked quite a bit, so here we provide an outline of your basic rights as a Teamster. Keep in mind this outline cannot answer every detail or replace specific legal advice. Contact TDU for that.

Do we have a right to elect our contract negotiators? It depends. Usually not, as it is not required by law or the IBT Constitution. For example, the general president appoints the negotiating committee in the national contracts. Many locals do have elected negotiating committees for local contracts, and you could amend your local bylaws to require this. Then it will be guaranteed. Once contract negotiators are elected they cannot be simply dismissed at will by union officials, as a TDU attorney recently won such a case in the Northwest Airlines negotiations.

Do we have a guaranteed right to vote on a contract offer? Yes, it is not a federal law but it is in the IBT Constitution. You must get a vote and it must be by secret ballot. TDU won the right to a "meaningful and informed" vote in the precedent-setting *Bauman vs. Presser* case, where a "quickie" vote was called. In other words, you are entitled to a chance to discuss the contract and get a truthful account of what is in it.

Can the employers and union officials make changes after we vote? No. This would deny you a vote. You are guaranteed a secret ballot vote on any changes made in a contract. In the *Carothers vs. Presser* case, TDU got a drug-test clause thrown out because it was placed in without a vote.

In a national contract, why can't we vote separately on the various supplements? Because Article 12 of the IBT Constitution is written to preclude it. We lost this issue in court, where the judge agreed we were being ripped off but said we would have to amend the IBT Constitution. TDU delegates and others submitted this amendment at the 1986 IBT Convention, but too many officials acted as a rubber stamp to defeat it.

Who gets to vote on a contract? The union leadership has some discretion on this, but not without limit. In the *Harmon vs. Presser* case, TDU won the right of Teamster casuals to vote, for example. Any rule made has to be reasonable and not deny members their basic rights. In the current master freight vote, for example, the vote will be taken nationally and not company-by-company, to preserve the ideal of a national uniform agreement. Companies like Transcon are trying to bust the agreement by insisting that their employees vote separately from all others. Employers cannot have any say on how union members vote, it is an internal union matter.

After we ratify a contract, why does it take a year to get the contract booklet? Again, a good proposal to require that contracts be provided within 90 days after ratification was shot down at the 1986 IBT Convention. You do have a legal right to be provided with your contract and any and all riders, side agreements and understandings, on request. If it is not printed into a booklet, the local union must simply photocopy it for you.

What is the role of a steward in a contract vote? A steward should be a representative for the members. In a national contract a steward will have no special input, but should be a watchdog. Get the language right away from your local or TDU. Study it. Read TDU bulletins and any information put out by union officers. Form an opinion and don't be afraid to voice it or make use of TDU bulletins. Help members who did not get a ballot to obtain one, and encourage everyone to vote. In some barns stewards encourage members to bring in their ballots to increase turnout. In a local contract, a steward may have a larger role, right from the start. Occasionally, local officers will tell stewards or rank and file negotiators they have to support a contract offer to the members. This is false, you are guaranteed freedom of speech inside our union by federal law.

Union Workers Testify on Scab Replacements

Displaced workers from various unions, including a representative of Teamster Local 714 in Chicago, testified March 30 on the problem of scab replacements for striking workers. The House Subcommittee on Education and Labor, which heard the testimony, may draft an amendment to the National Labor Relations Act to limit the ability of companies to hire scab labor during strikes.

Some of the workers who testified felt that their companies had forced a strike or ordered a lockout for the sole purpose of replacing them. Harry Bruesch, a member of Teamster Local 714 and an employee at the CDS Midwest parts distribution center, explained that the local did not take a strike vote on Sept. 18, 1987, the day the CDS contract expired. Throughout the negotiations, Bruesch said, the company, not the union, kept raising the possibility of a strike. Each time, Bruesch explained, "The union clearly responded that we were only interested in a negotiated settlement and that unit employees were ready and available to work at all times."

The company, according to Bruesch, began hiring scabs on Sept. 13, five days before the contract expired. Management locked the union workers out on Oct. 9. The scabs are still in place at the present time.

Bruesch said the company did not bargain in good faith, but called the workers "old, uneducated and unskilled," and sought 30% wage and benefit reductions even though a trade magazine had remarked on CDS' incredible profitability the previous year.

Of the 93 employees in the bargaining unit, 76 had more than 14 years of seniority, and 89 workers were over 40 years old. An unfair labor practice charge filed by the union with the NLRB was denied and is now on appeal in Washington, D.C.

Other workers who testified at the hearings included a locked-out member of the Oil, Chemical and Atomic Workers of North America; striking, scab-replaced workers at the United Paperworkers International Union; the United Food and Cannery Workers, and the Laborers' International Union.

Legal Briefs

NLRB Complaints at 13-Year Low.

The National Labor Relations Board issued its lowest number of unfair labor practice complaints in 13 years in 1987, according to its most recent annual report. Last year, 39,227 charges were filed with the Board, down from 42,283 in 1986. Only 2,900 complaints were issued. The Board claims it issued fewer complaints because fewer charges were filed. That could be because workers have given up in disgust on the NLRB as a protector of their rights.

Necessity Governs Vote on Rehiring Fired PATCO Members.

A bill permitting government agencies to rehire the 11,400 air traffic controllers fired by President Reagan during the 1981 PATCO strike passed the House and is headed for the Senate. A critical shortage of qualified air traffic controllers prompted passage of the bill. In spite of Reagan's union-busting, air traffic controllers voted overwhelmingly to organize a new union last year, the National Air Traffic Controllers Association (NATCA)

Broader Right-To-Know Law Defeated.

Legislation that would have required companies to notify workers about the existence of toxic substances in the workplace that could cause serious illness or death was defeated in the Senate. The House had previously passed the bill.

Anti-Lock Brakes/On-Board Monitors/Commercial Zones.

The Senate passed legislation mandating the installation of anti-lock brakes and on-board electronic monitoring devices in commercial vehicles, and abolishing the commercial zone exemption for DOT regulations. The bill must still pass the House.

Resources Available from TDU

1. TDU STEWARDS MANUAL. *An extensive guide written for Teamster stewards and activists. Price: $4 each; $3 each for 5 or more.*

2. LEGAL RIGHTS HANDBOOK. *A comprehensive book written by labor attorney Ellis Boal that tells you all you need to know about your rights on the job and in the union. Price: $8 each; $5 each for orders of 5 or more.*

3. GETTING THE MOST FROM THE GRIEVANCE PROCEDURE. *A short and to the point explanation of the grievance procedure. Price: $1.*

Please send me_____

Enclosed is $_____

Mastercard/Visa #_____ Exp. date_____/_____

Signature_____

Name_____ Local_____

Address_____

City_____ State_____ Zip_____

Return to: TDU, P.O. Box 10128, Detroit, Mich. 48210

Freight Lines

Employers Selling Contract.

If the proposed freight contract is so great, why are the employers so desperate to sell it? First, TMI chairman Arthur Bunte announced to the press the contract was oh-so generous. But he boasted to business publications how well he did! Then CF posted a notice at all terminals moaning that this contract would cost them $200 million, which is $13,500 for each CF Teamster. We suggest you tell them you'll take the money and work under the old contract! They fibbed on that one, in fact they just about doubled the cost. On April 15, **Transcon** CEO Joe Hall issued a letter to all employees saying they should vote yes "quickly" to settle the NMFA, then after that he'd give them a good deal. Meanwhile, **PIE** has failed to pay sick leave due April 1, pleading poverty. But we know locals that gave them a 72-hour strike notice and they started finding money fast.

Transcon Bosses Doing Just Fine.

As we previously reported, Transcon president Joe Hall has been taking his concession show on the road for the past few months. Armed with a slick video, complete with workers who formerly were employed at McLean and Spector-Red Ball, Hall has been preaching that Transcon employees must sacrifice to save the company. Apparently the spirit of sacrifice doesn't apply to management. Not only does Hall's concession plan specifically state that Transcon management will not be affected by any wage cuts, but it appears that Transcon's top management did quite well in 1987. Hall pulled in a cool $228,800, not counting the value of personal benefits received from the company. Four other Transcon executives received wages of over $100,000. Total compensation for the 11 directors and executive officers added up to $1,371,789. It kind of makes you shed a tear, doesn't it?

How Not to Get Concessions: Example One.

Treat your employees with contempt. Transcon bosses sent the following memo to all terminals: "We have safety meetings and meetings on the contract, and Employee Action meetings, and I don't know what else, but I don't see anything about what our real jobs are about – service.

"Somehow we seem to think that it is sufficient to pick it up and blow it in a trailer and forget it. But when we get to the destination we find it to have been loaded by some brainless jackass who doesn't give a damn about his job, his customer or his company. ..." Seems like a bad way to get concessions from all of us brainless jackasses.

CF Dockworkers – Smile, You're on Candid Camera.

CF dockworkers in Mt. Pocono and York found themselves among a cast of hundreds when management got the brilliant idea to begin video taping them as they worked trailers. In York, a series of letters and disciplinary actions followed after the workers' camera debut. Fortunately, all eight cases that were grieved were lost by the company. New film director Andy Treat, who doubles as area labor man for CF, will be disappointed to hear he won't be nominated for any Academy Awards.

In Mt. Pocono, BA Joe Mecca made it clear at the beginning that management could not use the films for disciplinary purposes. The company replied they were just "training films." One CF dock steward commented, "We're not going to be used to scab on the Screen Actors Guild. If they want to make a movie, let them hire real actors."

How Not to Get Concessions: Example Two.

Steal from your employees. PIE isn't exactly known for it's crack management team, and in Richfield, Ohio, drivers are up in arms over line haul supervisor Charlie Getz and the constant pay shortages drivers are experiencing there.

Getz is well known for his treatment of drivers at the now closed Toledo terminal. When the company shipped him to Richfield in the last change of operations, Getz proclaimed that he was taking over and would do things his way, pay people what he thinks they should get paid, and if the workers didn't like it – they'd have to do whatever they have to do. After giving up 15% to the company, the drivers in Richfield aren't exactly in the mood for giving up more, especially with a boss who is taking more than they expected.

Preston Encourages the Ultimate in Brown Nosing.

About seven months ago, *Convoy Dispatch* ran an article on Preston's use of "The Network," a 24-hour hotline for snitches. In a recent Preston memo, the company praised its "Associates." That's their funny name for workers who snitch on their union brothers and sisters. Included in the memo was a list of all the offenses they had come up with in the past seven months, such as extended lunch and break times, improper use of company vehicles, unauthorized "associates" on Preston property, unauthorized vehicles in shop areas, unauthorized activities and, crime of crimes, unauthorized use of service center telephones.

New Leadership

continued from page 1

or vision. The International leaders who negotiated this deal are out of touch with the members. They've forgotten their roots. It's easy to make a deal with corporate executives whom you golf with at fancy resorts. They see the union more as a road for their own advancement than as a movement of working people. They've run out of ideas and principles.

A new leadership is desperately needed for this union. Not just a new face. We will very likely soon get that new face in the form of Weldon Mathis. But not one policy will change. Mathis didn't even have the guts to face the 1,000 members at the meeting of his own Local 728 in Atlanta to take the heat on the contract deal. If this is our future, the same attitude and philosophy of defeatism will prevail. The same tactics of weakness will be used. Tactics like relying on anti-unionism to get rotten contracts passed.

The leaders of our union proudly boast to each other that they passed (by minority rule) the UPS national contract last year by using the so-called right to work states and anti-union climate there. Right now they're trying to scare freight Teamsters into line, preaching weakness and fear. So it's no wonder the top officials fear strong unionism and solidarity.

TDU is dedicated to developing that new leadership for our union. We don't mean just those who are now TDU leaders. We mean more and more leaders stepping forward from the rank and file, not sitting back and waiting for a knight on a white horse. We mean local officers who see the problems with our International and who will speak out. We encourage and support all officers taking that stand.

In May 1986 in Las Vegas, most of our local officers fumbled a perfect opportunity. At that International Convention a motion was made to allow majority rule on our contracts. And most of them dutifully voted the way Presser told them, not the way that would have represented their members. At that same convention a motion was made to allow all Teamsters, by one member one vote, to choose our general president. One hundred officers endorsed this, but the great majority again thought they worked for Presser and Mathis. The rank and file lost that opportunity.

But that can all change. It is time for those officers who spoke out on April 7 to realize that the future of this union depends on developing a new leadership, and the sooner the better. Rank and file Teamsters are going to have to challenge those officers who refuse to be part of the solution. Those officers we elect in our locals this year will automatically become delegates to the next convention. The question is, will we elect leaders with the intelligence and guts to stand up for a new leadership and a new direction within this union?

April 7 was a hopeful start, now it's up to all of us to make the most of it. We've got our union and our future on the line. We can stick with the present direction, changing the faces occasionally to keep us thinking something new might happen, *or we can set a new course of a strong, democratic and proud Teamsters Union.* Opposition to the current freight contract is important, but it means little in the long run without deeper reforms in our union. We need a strong contract, but also a national organizing program, the right to elect top officers, majority rule on contracts and a new pride in our union.

Those of us in TDU have made our choice for a stronger and more democratic union and we are determined to make it happen. We invite you to join us.

Jobs, Equality, Security

Vote NO—Send It Back

As *Convoy Dispatch* goes to press, ballots for the NMFA are due to go out and a major movement is underway to reject the tentative agreement.

TDUers nationwide are working hard to send the negotiating committee back to the bargaining table to secure an acceptable contract. We are joined by at least 41 major freight locals from coast to coast that have called for a NO vote to get this contract renegotiated and strengthened, to remove the giveaways and provide job security.

Why Vote NO?

To get rid of concessions in the offer:

- *Wage reductions.* Any employer (yours) can institute a 15% wage-cut program and, if 75% of the members agree, force it on all. Wage cuts will spread. (Article 6.)
- *"Modified work."* Employer can force those on workers comp to perform menial tasks for $5 an hour. Employees can be fired for lost time injuries. (Article 14.)
- *Pay for damages.* An employee who the employer claims commits a "willful gross negligent" act will have to pay for "any loss, damage or theft." (Article 10.)
- *Driver pays insurance.* "Employee will be responsible for paying excess over the standard charges" if employee is considered an assigned insurance risk. (Article 11.)

To deal with these major problems:

- *End to double-breasting and diversion of work to brokers and rail.* (Nothing in this offer.)
- *Abuse of casuals and loss of full-time jobs.* (Nothing in this offer.)
- *Cost of living allowance.* A 35-cent maximum (2%) is not a cost of living allowance. We need ours restored.
- *Job security and preferential hiring of displaced employees.* (Nothing in this offer.)
- *Fair pension increases.* (This offer is not adequate.)

Now It's Your Turn

This contract can be changed. The International officers will tell you it's a "final offer." But they said that on March 31 and on April 6 renegotiations removed one major concession, the wage-freeze on casuals. Our No vote will send the parties back to the bargaining table, and will make a difference! We will lose nothing. We can remove the concessions, strengthen job security and protect our contract for the future. Vote NO!

Three-Year Campaign Pays Off

TDU Wins Improvements in NMFA Drug Testing

It's taken three years of hard work, legal action, publicity and education for the International to admit that TDU was right on drug testing. They said it in the best way by modifying the drug testing procedure in the national freight contract and making some of the changes that TDU has advocated since the inception of drug testing.

The slaughter brought about by the International's shoddy drug-testing provisions has cost hundreds of Teamsters their jobs and their reputations. Consequently, halfway through the last contract freight Teamsters were nearly unanimous in their opposition to the program and were demanding changes.

TDU was there all along. As the discharges began to mount, TDU consistently spoke out against the provisions. Hundreds of Teamsters received help from TDU in their grievance hearings, and litigation began on several key cases, some of which are still proceeding. (In the 1986 *Carothers vs. Presser* suit, TDU removed the same drug-test clause from the carhaul contract.)

TDU also received documents from the International very early on which proved that the International was well aware that people were being unjustly discharged and that the procedure was fatally flawed. But the International took no steps whatsoever to modify the program. TDU then published and distributed 50,000 copies of "Teamster Drug Testing—Playing It Safe," a pamphlet outlining the procedures and informing Teamsters how they could best protect themselves. Again, the International was silent, preferring to ignore the massacre, and put out ridiculous publicity touting the program as "the finest and most accurate drug testing procedure possible."

The changes in the drug-testing procedure are significant for all freight Teamsters. It goes to show, once again, that an organized and educated membership can change their contracts, conditions and their union. Several key changes have been made that TDU has been proposing for the past three years. There are still flaws, however. We'll outline the changes and point out some dangers.

Summary of Article 35 Changes

Probable Suspicion Testing: Some gains were made on the probable suspicion testing. First, the supervisor(s) observing the probable suspicion must write up an evaluation within 24 hours of the incident on why it's believed the employee was under the influence. Second, copies of the written report must be made available to the steward after the employee is discharged. Stewards should take notes and completely check with the tested worker and other witnesses on the appearance, behavior, speech and odor of the worker presumed to be intoxicated. This is the only way you'll be able to rebut management's charges.

The basic flaw that remains is that the definition of probable suspicion has not been clarified. Freight Teamsters can still be tested for reasons such as saying good morning to the boss, or fingering a moustache (real cases of probable suspicion). In effect, probable suspicion still comes dangerously close to random testing, or selective discipline of stewards and militant members. Also, testing on probable suspicion still requires a blood screen. The levels for blood screening ***have not been modified.*** Finally, there is ***no rehabilitation*** for Teamsters with positive results on probable suspicion tests. Expect the number of probable suspicion tests to rise because of these flaws.

DOT and Other Regular Physical Examinations: This clause was made worse. Under the previous contract, the employer had to give a 30- to 60-day notice on your DOT or regularly scheduled physical. The notice has been dropped to seven days. You should keep careful records of the dates of your DOT or regularly scheduled physical.

Split Sample Procedures: When tested for the DOT or other regular physical examinations, two specimen samples will be sent to the testing lab. If the first sample tests positive, the worker being tested has 24 hours to request that the other sample be tested. It will then be sent to another lab of the employer's and union's choice. Disciplinary action can only be taken after and if the second test confirms the presence of drugs.

While the split sample procedure is an improvement, it is still flawed because the worker being tested cannot choose an independent lab for confirmation.

Laboratory Accreditation: All laboratories used to perform urine drug

testing will have to be accredited by the National Institute on Drug Abuse. At this time, none of the laboratories currently approved by the IBT and the employers has received accreditation.

THC Levels: The levels for THC (the active ingredient in marijuana) in the new procedures are the same as those contained in the Scientific and Technical Guidelines for Federal Drug Testing. This raises the level of nanograms from 30 to 100 on the initial screen and up to 20 for the confirmatory GC/MS tests. Both levels must read positive for disciplinary action. This is a major victory and follows TDU's recommendations of three years ago, to the letter. Blood testing levels have not been modified.

Reinstatement after Positive Test on Dot or Other Physical Examination: Another major victory was won on this provision. Now, if you test positive on a DOT or other physical, you will be reinstated on a one-time basis only. To be reinstated, a worker must complete a program of evaluation, and if necessary, treatment. Any costs associated with this that are not covered by the appropriate Health and Welfare plan will be paid by the employee. While undergoing treatment, the employee shall not receive any of the benefits under the contract, except continuation of seniority.

After reinstatement, the employee will be subjected to three additional tests for drugs without prior notice, two within the first six months of return to work and one in the following six months.

Once again, reinstatement does not apply to those found positive on probable suspicion testing or on a positive alcohol reading.

The rank and file have won a victory on cleaning up theNMFA drug-testing procedure. We salute all Teamsters who worked hard to get these changes, and the negotiating committee for listening. We hope now that the International will promptly move for reinstatement of all those Teamsters who lost their jobs on DOT or other physicals with THC levels between 30 ng. and 100 ng., which are now agreed to be unfair. Let's go all the way and bring justice to those hundreds of Teamsters who were victimized by the unfair procedures in the last contract.

Transcon, ANR, PIE Unsettled

"We will sign nothing but the master contract, with no variations." That's how freight director Jack Yager responded when asked what will happen with those major freight corporations that have not yet signed the NMFA. Transcon, PIE and ANR have not signed and each has stated a desire to get some cut-rate deal, though none of them has moved to implement any takeaways yet.

The union has taken a stand that we all vote together and will work under the same terms. After an NMFA is ratified, that will be the standard agreement for the industry and will empower the union to threaten to strike any carrier who tries to bust out.

There are many other Teamsters affected as well, such as those who work for the so-called California Carriers and some other regional lines. As of April 16, companies represented by the Motor Carriers Labor Advisory Council (MCLAC) have not signed, though MCLAC is meeting with the IBT and may sign at any time. This is also holding up the Iron & Steel Rider. We all need to stand together in solidarity.

DOC
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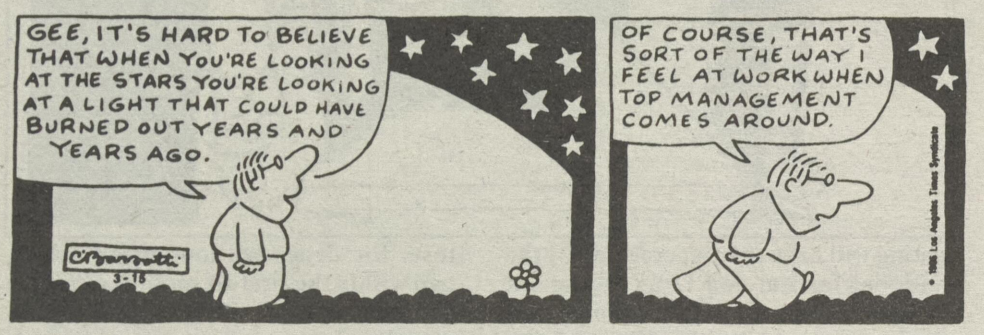
WHAT'S THAT?
IT'S A LIST OF ALL THE NEW IMPROVEMENTS IN OUR CONTRACT...
...WRITTEN ON THE HEAD OF A PIN.
HOW CAN THEY PRINT ALL THAT ON SOMETHING THAT SMALL?
IT'S IN LONG HAND.

Roadway Services, Inc.

All You Wanted to Know, But Were Afraid to Ask

The first thing you need to know about Roadway is that they're big. Roadway Services pulled in nearly $2 billion last year. To get some idea how much money that is, if you were paid $1,000 a day since the time Julius Caesar was running the show in old Rome, you still wouldn't have collected even $1 billion. After paying for equipment, fuel, labor and corporate officers' six-figure salaries, Roadway had enough to chalk up over $50 million after taxes in profits for 1987. Not too shabby for what the board of directors called an "off year." That's big.

Roadway Express is the biggest in the Roadway Services family, accounting for 84% of the revenue in 1987. What is disturbing is that the non-union subsidiaries in Roadway Services – Spartan Express, Nationwide Carriers, Roberts Express and Roadway Package Service – have increased their share of revenues and promise to play a more important role in the life of Roadway Services.


GEE, IT'S HARD TO BELIEVE THAT WHEN YOU'RE LOOKING AT THE STARS YOU'RE LOOKING AT A LIGHT THAT COULD HAVE BURNED OUT YEARS AND YEARS AGO.
OF COURSE, THAT'S SORT OF THE WAY I FEEL AT WORK WHEN TOP MANAGEMENT COMES AROUND.

The second thing you need to know about Roadway Services is that they're mean. Roadway has perfected the iron-fisted style of management to an art form. Think about it: Who invented the production card and production harassment? What trucking company has the most trouble finding drivers (and others) to work for them because of its reputation? What company instructs its management to harass, letter, suspend and fire its Teamster employees? There are no quality circles or labor-management cooperation, nor any other device to trick the employees into thinking the company cares. When you work for Roadway, you know exactly where you stand.

Roadway Services 1987

At Roadway Express the big got bigger, increasing its LTL tonnage in 1987 by 14%. All the crying about rate discounting can't disguise Roadway's significant gains in its drive toward monopoly in the LTL sector. Roadway is quite proud of its ability to "take a leadership role in the industry in keeping rate increases to a minimum." The better to drive out the more unfortunate carriers in the industry.

Roadway Express opened 16 new terminals and added or expanded 13 breakbulks in 1987. Construction of the 410-door breakbulk in Carlisle, Pa., began in 1987. This will be the largest terminal in the system when completed in October 1988. Most of the money spent on equipment in 1987 went to the purchase of 28-foot, 102-inch wide trailers. The company plans to have 75% of its fleet's capacity represented by the pups by the end of this year.

Spartan Express, the non-union LTL subsidiary, pulled no punches in announcing its plan to grab a bigger piece of the regional carriers' market. Spartan expanded terminal facilities from 38 to 50 in 1987, taking advantage of the lower costs associated with hauling LTL freight non-union.

When Roadway bought Spartan in 1984 it basically served five southern states: Alabama, Georgia, North Carolina, South Carolina and Virginia. Spartan now runs to St. Louis, Chicago and Milwaukee in the Midwest, and to Newark, N.J., in the East. Spartan's plans for 1988 are to beef up its presence in the Central States and mid-Atlantic regions, which will threaten Teamster regional carriers in those areas.

Nationwide Carriers and Roberts Express, handling contract carrier work, specialized goods, and truckload freight, expanded their scope and are planning further expansion in 1988.

Roadway Package System grew considerably in 1987, expanding its terminal network from 77 to 107 facilities, including nine hubs. RPS now serves 42,000 communities representing 58% of the U.S. population. Service to the West Coast will begin by this summer with a hub in the Los Angeles area and satellites throughout the state. RPS is still far from profitable, yet the corporation remains enthusiastic about the company's future – another reason to organize it.

The Roadway Tradition – Blasts from the Past

A look through the TDU archives shows Roadway management has worked hard to keep its reputation for obnoxious and nasty behavior. The following examples are just a few reminders of Roadway's special way of dealing with its Teamster workforce.

January 1972: In a memo to Toledo dockworkers, Roadway showed its concern. "Dock employees will be permitted to have beverages on the dock at their work assignment. Dock employees will also be allowed a reasonable time to get warm. ... In return we expect an overall increase in dock production. Dock production records will be posted on a weekly basis and these figures will be the yardstick by which the determination will be made if this policy continues."

July 1977: Sixty drivers in Akron demonstrated at corporate headquarters on the "unsafe working conditions and the callous attitude of Roadway's top management toward the safety and health of their employees." Charles Zodrow, then vice president for Roadway, responded, "all aspects of Roadway's safety and equipment are subject to regulation and enforcement by the appropriate government agencies. ... Our excellent record is a matter of public record." Roadway's safety performance was indeed a matter of public record as the demonstrators showed. Reporters covering the demonstration were handed a DOT report showing that during an on-site inspection of Roadway's Hagerstown, Md., terminal, eight out of 10 trucks on the ready line were ordered out of service. Roadway was later found guilty of illegally photographing Teamster participants in the demonstration.

January 1981: After several complaints from Roadway dockworkers in L.A., OSHA finally sent an investigator to check out the situation. When the inspector arrived, Roadway management went wild and started to berate and harass the poor civil servant. Roadway found out that its contempt for the law just didn't work out in this case. It was hit with six major safety violations and several thousand dollars in fines.

February 1983: TDU uncovered secret company memos targeting "low producers" for harassment and discipline. A nationwide campaign was begun to stop Roadway's contract violations. Over 5,000 petitions were collected nationally and grievances were filed in 200 locals. The union ruled that the grievances were improper before committees. Harassment eased up some and TDU built a bigger presence than ever at Roadway.

October 1984: D.J. Sullivan, southern district manager, wrote a memo to all southern terminal managers saying, "Serious consequences will arise for those who fail to suspend and discharge those employees who are not giving 110% to Roadway Express. I want more letters. I want more suspensions. And I want more discharges. I want them now and I want them every period from now on." Sullivan was rewarded for his brilliant display of Roadway labor relations by being named president of RPS.

December 1986: TDU reprinted a secret Roadway memo from a Miami terminal manager that instructed supervisors to treat the employees in the harshest manner, and to discipline all who were not "producing."

January 1987: Roadway rescinded hundreds of letters in Miami as a result of the TDU article and action from Local 390.

Roadway. They're big, bad and mean. But they've been beat hundreds of times by TDU action and an organized workforce. Our goal for 1988 is to develop a strong national network of Roadway Teamsters. Our long-range goal is to move our union to insist that Roadway treat every employee with fairness and dignity.

Cincinnati Roadway

R.E. Smith's Grievance Express

Does the R.E. at Cincinnati Roadway stand for Roadway Express or R.E. Smith Express? Drivers think relay manager Ron E. Smith must own Roadway Express, because in Cincinnati there are two ways to do things: the wrong way or the R.E. Smith way.

Hundreds of grievances have been filed on Smith's practices and numerous complaints have been made to management, the DOT, the NLRB and members of Congress, but this large thorn seems to be untouchable.

Safety is of utmost importance to Smith as long as it doesn't require logging hours or repairing equipment. Smith's running times allow no time for a driver to pre-trip a unit, as required by the DOT and company policy. Cincinnati management routinely repairs equipment with a pencil and drivers who catch pre-trip inspection breakdowns are harassed.

Drivers are forced to falsify daily log books to maintain Smith's running times, which have never been agreed to by Local 100, or face discipline up to discharge. For example, Cincinnati to Chattanooga, a run of 390 miles that pays 381 miles with a placarded load, has an agreed-to running time of 9.5 hours overall. Smith's running time is 8.5 hours overall, with a 7.5 hour driving time. To log this run in 7.5 hours, the driver must actually be driving while logging off-duty time for meal or rest stops. And if a driver logs a 15-minute, pre-trip inspection, he only has time to stop for carryout food.

Smith swears his runs can be made legally time and time again. But his test runs are made with equipment that will run 62-65 mph, while the rest of the fleet has a hard time maintaining the 55 mph speed limit. So on the trip to Chattanooga, a driver would have to average 52 mph for 390 miles, which does not allow for traffic, road conditions and the rest time that Roadway specifies on each driver's log book.

Rob Pugh worked two and a half years at Cincinnati Roadway, was a 176,000-mile safe driver and an outspoken committeeman before Smith fired him Feb. 15 for his overall work record. He had received five warning letters within a four-month period for failure to maintain schedule.

Ohio Teamsters have known for many years that the Ohio Joint State Committee in Columbus is the best justice company money can buy. Facts presented to this committee fell on deaf ears and Rob's discharge was upheld. New evidence presented April 13 was quickly reviewed with a blind eye. With justice like this, Teamsters ask, who will be next?

Rob has filed NLRB charges and consulted an attorney for possible legal action. Cincinnati Roadway drivers have set up a legal defense fund to support his efforts. They are standing beside Rob because his case is now a symbol of the threat to safety and job security all Cincinnati drivers face under Smith and the state committee's kangaroo court. Teamsters who want to contribute to the legal defense fund should call the TDU office.

At press time it was reported that the DOT had finally arrived to inspect vehicles and was "chewing them up on the ready line." Drivers hope the investigation spreads to the illegal running times, too.

Battle Over Northwest Air Contract

Combatting Anti-Unionism of Airline Deregulation

American corporations, determined to drive down transportation costs, put their muscle behind moves to deregulate the nation's transportation industries in the 1970s. Despite dire warnings from both workers and companies in the affected industries, Congress passed the Airline Deregulation Act in 1978 and, two years later, the Motor Carrier Act of 1980. Deregulation was to send workers scrambling in the two affected industries.

Before deregulation, the airline industry was a good place to work. Highly unionized along craft lines, for the most part the industry was able to provide good wages, job security and working conditions. The industry, dominated by a handful of firms, was regulated in a way that restricted the number of new entries into the market and allowed companies to pass on labor costs without cutting profits.

With deregulation, all this changed. Fierce competition and extreme cost-cutting measures now characterized the industry. The number of airlines doubled within a few years of deregulation from 33 to more than 70. Non-union firms, such as People Express and New York Air, accounted for almost half of the new entries. Under pressure from these non-union firms, established companies soon devised a variety of tactics to cut labor costs similar to tactics used in the deregulated trucking industry: double-breasting, two-tier contracts, severe takebacks and lower safety standards.

By the early 1980s, almost all major airlines were asking employees to accept wage freezes or pay cuts of 10% or more and work rule changes. With 8% of airline industry workers laid off between 1981 and 1983—nearly 30,000 workers—airlines were in a strong position to demand givebacks.

The two-tier wage scale proved to be a very attractive weapon for those unionized airlines seeking to slash costs in the era of overcompetition. The same year Jackie Presser swallowed the two-tier concept hook, line and sinker in 1983, American Airlines forced a two-tier scale on mechanics represented by the Transport Workers Union. These agreements proved so popular with management that 70% of new contracts signed contained two-tier clauses by 1986. Recently, strong rank and file resentment has helped roll back these concessions somewhat. The mid-1980s' merger boom fed the rise of superpowered scab outfits like Texas Air, which combined non-union outfits like People Express and Continental with the still-unionized Eastern. Employees at Eastern are under continuing pressure to give back their hard-won wage standards, as union-busting Texas Air chief Frank Lorenzo tries to shift profitable routes away from Eastern to his non-union lines to strengthen his dire-straits argument for drastic labor concessions.

But on March 11 a U.S. District Court judge foiled Lorenzo's strategy by blocking his move to transfer Eastern's profitable Washington-New York-Boston shuttle to a non-union subsidiary. And on March 29 another U.S. District Court judge prohibited Lorenzo from hiring non-union pilots for use during a strike.

The Airline Pilots Association, International Association of Machinists and Transport Workers have set up a citizens' commission to expose Texas Air's union-busting tactics. Meanwhile, Lorenzo is conniving to get negotiations with the IAM out of the mediation stage, where they have been stalled for months. The union has refused his demand for a 50% cut in wages and benefits. Lorenzo is pressuring the Federal Mediation Board to declare an impasse in negotiations so he can impose a settlement and lock the union out. But for now, the unions have him out-maneuvered.

Northwest Negotiations

When Northwest swallowed up Republic in 1986, the Teamsters won the right to represent the 6,600 flight attendants in our union's largest airline unit. Bargaining began on one contract for the two groups. But in response to the lack of rank and file input in the recent contract negotiations, flight attendants formed a rank and file organization, Flight Attendants for a Democratic Voice. FADV has opened a telephone hotline and is advocating a NO vote on the Northwest contract. The next FADV meeting is April 28 in Detroit, Northwest's largest domicile.

In the contract negotiations with Northwest, the Teamsters stared Northwest squarely in the eyes—and backed down. Teamster airline division chief William Genoese talked tough, threatening several strike deadlines and even "guerilla warfare" to slow down operations. With a 94% strike authorization vote and the pilots' and mechanics' unions seemingly ready to support a strike in late February, it appeared the Teamsters might actually make a stand. But in the end, weak-kneed Teamster officials accepted a tentative contract that differs very little from the final contract Northwest threatened to unilaterally impose in mid-March. The tentative agreement, which members are voting on now, extends from five to eight years the time it takes workers on the lower scale of the two-tier contract to reach parity.

Workers in the airline industry, despite gains, have been unable so far to reverse the tide of givebacks and de-unionization prompted by deregulation. With unions highly divided along craft lines and narrow-minded union bureaucrats unwilling to pull together to beat back the tide, the need for true solidarity and strong rank and file leadership is clearer than ever. And for workers in the trucking industry, unified under a single union and in many ways in a stronger bargaining position, the need to hold the line against the continuing effects of deregulation should be equally clear.

'No' Vote on Contract a Life and Death Issue for CF Dockworkers in Buffalo

Dockworkers at the Buffalo, N.Y., CF terminal had hoped the proposed freight contract would protect them from breathing the toxic substances in diesel fuel. They were more than disappointed that the contract did not prohibit the use of diesel towmotors, but contains only vague, weak language and establishes a committee to study the problem.

In the long Buffalo winter, the dockworkers are confined to an enclosed space with no ventilation. The 15 diesel towmotors on the dock release fumes containing carbon monoxide and other known toxic substances. Many workers, feeling ill on the job, have gone to the hospital and found that the carbon monoxide level in their blood is well above the safe level.

Concern for their health led them to file complaints with OSHA. Last year, they also mounted a publicity campaign that received local TV coverage and removal of the dangerous towmotors. But when the publicity died down, CF management gradually returned the diesel towmotors so there are more today than ever. Even more outrageously, CF prohibits the workers from wearing any kind of protective mask.

CF refused to allow OSHA to enter its dock to measure toxic substances in the air. OSHA applied to a New York state judge for a warrant, which is usually easily granted. The judge refused to issue the warrant, claiming the evidence was insufficient. The workers gathered more data, including records to show that 20 workers out of approximately 200 contracted cancer within a 10-year period. OSHA resubmitted its application for a warrant in early February and this time the judge simply failed to make a decision. Now that warmer weather has arrived the doors on the docks will be open. When OSHA finally does come in to measure the air the workers are breathing, the amount of toxic substances will be diluted.

The workers thought that if the government and court system let them down their national negotiating committee might help. It didn't. To the CF dockworkers, a NO vote on this contract is a matter of life and death.

Presser's Trial Date in Doubt

A former ghost employee and key witness has agreed to testify at the trial of Jackie Presser and Harold Friedman, but the trial appears again headed for postponement. TDU has learned that Jackie Presser failed the court-ordered physical exam at Georgetown University in late February, casting doubt on the scheduled trial date of July 12.

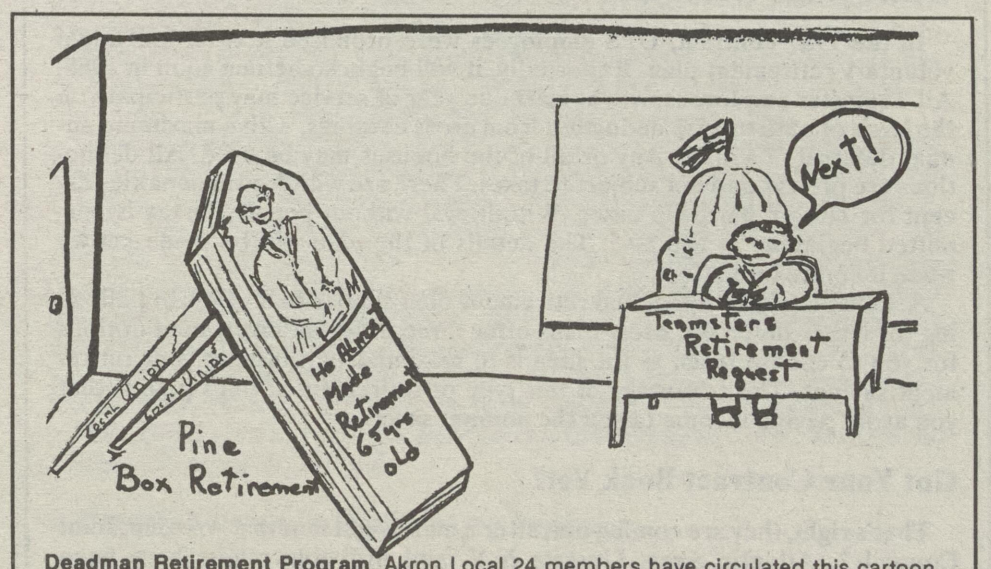
The trial has been postponed in the past due to claims by Presser's attorney and IBT General Counsel John Climaco that Presser is too ill to sit in the courtroom and defend himself. Thus the court ordered an independent exam for confirmation.

John Nardi Jr., the key witness, was a ghost employee in the 1970s, with all checks paid to him signed by Presser and Friedman. He has pled guilty to embezzlement in the form of cashing the checks Presser provided him. Nardi's father was a key leader in the Cleveland Cosa Nostra until he was murdered by a car bomb in Presser's parking lot. The case is still unsolved.

Meanwhile, Presser has appeared at few union functions and played very little role in the NMFA contract negotiations. But Presser-appointee Norman Greene (paid $119,530 last year) is currently circulating a letter that begins, "Jackie is back in full swing and looking and feeling well." The letter requests donations from the 5,000 Teamster officials for the Jackie Presser Defense Committee.

Weldon Mathis, who recently denied being the acting president of the union, appears to function in that role and has the inside track to replace Presser.

In related news, Angelo Lonardo, the former underboss of the Cleveland Mafia, testified April 15 before a Senate subcommittee that the Mafia helped install Roy Williams and later Jackie Presser as IBT presidents. He described meetings with Cosa Nostra leaders in Chicago and the East, where he lined up support for Presser. The mob then influenced the International VPs from those areas, he stated. Presser was chosen in April 1983 in a close vote of the 17-member general executive board.



Deadman Retirement Program. Akron Local 24 members have circulated this cartoon on the proposed Central States pension benefits. Instead of raising 30-and-out, the plan would force Teamsters to work to age 65 to get the top benefits.

K.C. Drivers Challenge 65 mph Policy

Michael Savwoir
Local 41, Kansas City, Mo.

Feeder drivers in Kansas City Local 41 took their grievance on 65 mph to a grievance committee in Florida, recently. Although the grievance was denied, drivers are more determined than ever to reserve discretion on the safe operation of their vehicles. Kansas City drivers are setting an example for UPS feeder drivers in other states that have 65 mph speed limits for trucks.

The grievance developed from local management's October 1987 mandate to drive the maximum speed posted on Interstate highways, day or night. Persuant to the maintenance of standards provisions of the recent contract agreement, UPSers contended that the company failed to maintain the standards of working conditions in place at the time of the signing of the agreement.

Realizing the tremendous potential profits from a production increase of 18%, UPS management was determined to impose this change in working standards, which totally contradicted the existing policy that travel exceeding 55 mph was unsafe and that headlamps on feeder equipment were not designed for travel above 55 mph.

United in their opposition, feeder drivers awaited the "snail's pace" grievance machinery, while the company harassed and intimidated drivers. Rank and filers have not entirely refused to drive 65 mph, but rather have contended that as professional drivers they should determine travel speed relative to road, equipment, weather and load conditions, etc. They have further pointed to numerous safety and past-practice considerations.

Neither drivers nor managers have been trained at such speeds. Industry standards have long regarded 55 mph as the optimum travel speed for safety and fuel efficiency. Fleet contractor Mack Truck has repeatedly stated that its trucks are not designed for speeds in excess of 60 mph. Safety studies have determined that travel above 60 mph compromises safety and increases the probability of fatality, particularly in the trucking industry.

Many questions regarding an increase in Interstate travel speed were directed to union and company officials prior to signing the UPS national agreement. Responses were repeatedly the same, "There would be no change in existing standards." Letters regarding this compromise of safety were directed to the UPS national safety manager in Greenwich, Conn. To this date, these letters have gone without response. It was recently learned that UPS no longer endorses the National Safety Council in the Kansas City area. Could it be that this embarrassing policy does not have the blessings of national UPS management? Could it be that Kansas City area managers have seized the intiative to increase harassment and production at our expense? While the answers to these questions remain uncertain, feeder drivers in Minnesota, Wisconsin, Mississippi, Florida and other states in the South and Midwest report similar harassment.

Michael Savwoir.

Quite certain, however, is the resolve of rank and file UPSers who have rallied around this issue in the face of disciplinary actions. Kansas City drivers sent letters to the Department of Transportation. Contacts with federal and state legislators, including U.S. Sen. John Danforth of Missouri, were initiated. Letters to Mack Truck questioning such safety compromises and possible manufacturer liability were drafted. Unfair labor practice charges were filed with the NLRB. Letters were sent to the National Transportation Safety Board, the Federal Highway Administration Office of Motor Carrier Safety Field Operations, and the Interstate Commerce Commission. Rank and file support and legal funds were quickly developed for victimized brothers.

The loss of this grievance shows a lack of concern on the part of top Teamster officials, who have polarized the efforts of 150 rank and file feeder drivers. Determined to exercise their right of personal discretion, these drivers continue to seek the support of state and federal agencies. Efforts to establish community support on radio talk shows and in local newspapers have been well received, as the sacrifice of safety for greed is very much an item of public interest.

UPS and Downs

Oakland Feeder Drivers Win Grievance on Lunch Breaks.

Local 70 in Oakland, Calif., has won a test case for feeder drivers taking rest periods and lunch on the road. UPS had been telling drivers they had to take their breaks and lunch at company facilities, which the union argued was a violation of maintenance of standards. The decision from the grievance committee stated that "past practice of taking rest periods and lunch on area unless it creates service problems" shall continue.

Fresno Drivers Stand Up to Threats.

A team from UPS regional management recently made a proposal to Fresno, Calif., BAs and Local 431 president Jimmy Hammack that all feeder drivers be scheduled on four 10-hour days at straight time, instead of the current five eight-hour days as prescribed by the contract. Hammack told UPS to make its proposal through proper channels, the change of operations committee, which informed UPS that 4/10s will not be implemented in the Valley Division. Had UPS been successful, each feeder driver would have lost about $10,000 or more in overtime each year. UPS regional feeder manager Bob Seymore warned that since the 4/10s did not pass, Fresno will not get the 35 new feeder runs slated for its new hub. Fresno UPSers consider this threat a major attempt to circumvent the contract. Since UPS has already broken ground on the $2 million expansion in Fresno, it will be interesting to see what they'll do with the expanded facility.

It's a Blackboard Jungle in San Diego.

Kenny Gardner, a 29-year veteran at UPS, recently received a vote of confidence and a big show of appreciation from center manager Jim Lewis. Lewis laid a one-day suspension on him for not passing a "Driver Delivery Sheet Quiz." Not even the most experienced driver can pass this test on the first attempt. On occasion, supervisors have been known to lend drivers the answer sheets to take home for study, or even allow a take-home test or cheat sheets to be used during the test. But Kenny tried to take the test without that kind of help. He failed it three times and on the fourth try Lewis warned him that if he failed again he'd be suspended. Kenny scored a 97%, excellent by most standards but not UPS'. You see, Kenny wrote over a number to change it from a 3 to a 5, a cardinal sin in Lewis' book. He flunked out and was suspended. A grievance has been filed.

Where is the 401K Plan?

In the 1987 contract, UPS employees were promised a 401K individual voluntary retirement plan. Reportedly, it will begin sometime soon in 1988. All Teamster employees with at least one year of service may participate on the basis of a1% to 15% deduction from gross earnings, with a maximum annual deferral of $7,000. Any or all of the bonuses may be used. All deductions are pre-tax and not subject to taxes. There are withdrawal penalties except for certain hardship cases. Withdrawal without penalty or tax is permitted beginning at age 59.5. The details of the plan will be made known when it comes into effect.

A 401K plan is an individual retirement plan similar to an IRA but allowing for larger deferrals. Most plans offer three different investment options for you to choose from, as the idea is to maximize earnings on your retirement savings. The advantage of this type of retirement savings plan is that you avoid paying income tax on the amount saved.

Got Your Contract Book Yet?

That's right, they are coming out, after a mere eight months! Arizona, Joint Council 2, Atlantic Area, Upstate N.Y. and probably others have been printed. Be sure to ask your local union for a contract book. You have a right to one and a good union member should have it and read it.

UPS Ordered to Post Notices on Unfair Labor Practices

The National Labor Relations Board has ordered the immediate posting at UPS centers and hubs in 20 cities of a notice to employees informing them of their legal rights on the job. The posting follows charges filed by TDUers against the company for its nationwide harassment of employees who campaigned against the 1987 UPS contract. The NLRB, however, denied TDU's appeal of the December settlement between the NLRB and UPS on the charges.

TDUers submitted substantial evidence that the company violated the National Labor Relations Act in a nationwide effort ordered by top management to block oppostion to the contract. But the NLRB flatly refused to hear the complete evidence. Instead, it found merit in 23 of the 30 charges covering 20 cities, but still issued no complaint against the company. UPS settled with the NLRB on a posting with this limited scope. TDU's appeal asked for a nationwide posting of the notices at all UPS centers and hubs.

The charges filed by TDU cited UPS management for interfering with distribution of contract bulletins, removing contract literature from bulletin boards, confiscating contract materials from employees' lockers and automobiles, coercively polling employees on how they would vote on the contract and other violations of the Act.

One of five variations of an NLRB notice to employees detailing their rights to distribute TDU literature, campaign against contracts and engage in other concerted activities protected by the Act must now be posted in centers and hubs in the 20 cities. The notices are to be posted conspicuously on all bulletin boards where notices to employees are customarily posted in the centers. The posting must be maintained for 60 days.

The posting order sends a message to UPS that stiffer sanctions will be imposed for future violations. TDU attorney Julie Fosbinder, commenting earlier on the settlement, said, "The people who filed the charges are vindicated in that their fellow employees will know they were right in their actions."

Janesville Manager 'Buffaloes' UPSers Who Grieve Bonus Plan

We are writing to let you know about the threats and illegal activity here in Janesville, Wis., on UPS' prized bonus plan. The intimidation is so bad that we can't even sign this article.

We have the right to vote the bonus plan out of existence, according to Article 19, Section 11 of the new Central States Supplement. We had more than enough people to rid the center of this unfair practice just after the contract went into effect, but the center manager immediately threatened the right people with riders three times a week. This was enough to scare lower seniority drivers into not signing.

We are all getting fed up with this ridiculous bonus system. There are routes that can easily make it, but most routes are virtually impossible. I will give you one guess who gets harassed the most. The bonus plan is not fair to the majority of the drivers and that is why we want to rid the center of it.

So we got up another grievance a few weeks ago and had 75% of the drivers willing to sign. Our center manager got wind of this and at an A.M. meeting he profoundly stated that if the bonus plan is voted out of Janesville, our new building won't be built and several routes will be sent out of Janesville. He has illegally buffaloed enough people into believing this b.s., and several guys have backed out of signing. It now looks like the new building is going to be built this summer.

Come on drivers. Let's call their bluff and get rid of this thing once and forever. We got absolutely nothing worthwhile in the last contract, but we did get the right to vote this unfair bonus plan out. They may try and harass you for a while, but if you read your contract book over, there is a provision about being overly supervised. Furthermore, Local 344 should stop management from intimidating drivers off these grievances!

If there ever was a time to stick together and unite, now is it. This might help to bring these ridiculous standards and workloads in line, and possibly help to extend our careers a little longer. Let's face it, management is getting extremely fat and rich off of this system at our expense.

Take all your lunch and breaks and you will double what you make on their bonus. Put the money in your pocket, not theirs. God knows they are getting more than enough out of us.

Central States Pension

UPSers File Suit to Recover Funds

In the Nov./Dec. issue of *Convoy Dispatch*, we reported that TDU members were investigating UPS' failure to make contributions to the Central States Pension Fund as required by the 1984 contract extension.

Four TDU members have now filed suit to end this ripoff. The 1984 extension stated that "on September 1, 1985, and September 1, 1986, the company shall match any increases in contributions to the Health and Welfare and/or Pension in the same manner and amount as allocated under the terms and conditions of the National Master Freight Agreement in each area." The NMFA called for 10-cent increases in '85 and '86, but TDU revealed that UPS made only one such increase during this time.

UPS has pocketed the second increase, saving about $5 million per year. Thousands of UPS Teamsters in Central States are facing smaller pensions as a result.

TDUers Dan Campbell, Gary Lewis, Tim Weaver and Mike Savwoir have filed a class-action suit against UPS and Central States. The suit, filed in Northern Illinois District Court, seeks full restitution with interest of the money that has been withheld. "Why should UPS be granted concessions in this area?" Campbell asked.

TDUers Fight Unjust Firings at Paul's

TDUers in New York and New Jersey have mounted a campaign at Pathmark Food Stores to win back the jobs of four drivers fired by Paul's Trucking Co., which delivers to Pathmark and is owned by the same company.

TDU International Steering Committee member Tom Pizzuto and three other TDU members, George Frey, Mike Rinaldi and Joe Titanski, were discharged for allegedly punching each other's time cards. In fact, Paul's Trucking management has encouraged drivers to punch time cards for others by handing one driver the time cards for all employees on a shift.

The company "rule" was ignored for years until management needed an excuse to get rid of TDUers. The union contract expired on April 1 and a shop stewards' election is scheduled for after the contract settlement. Two of the fired workers, Pizzuto and Frey, had announced they were going to run for steward. At a contract meeting Feb. 21, Pizzuto submitted extensive proposals and Frey was elected to the negotiating committee.

The response from management was swift. The four drivers were suspended Feb. 25 and later fired. Management has changed its story more than once and only produced its evidence after being threatened with unfair labor practice charges. Local 863 officials agreed to take the case to arbitration but say it may take six months.

The workers decided to take action rather than sit and wait. They filed charges with the NLRB, alleging they were fired in retaliation for their union activities.

They are not relying on legal action alone. They began distributing leaflets at 120 Pathmark Food Stores, informing customers of their unfair firing and asking them to call Kenneth Peskin, the president of Supermarkets General, parent company of Pathmark and Paul's Trucking, to register their disapproval of the firings. Peskin's number is (201) 499-3000.

TDU means solidarity, and members from other locals are supporting their fired brothers by joining in the leafletting.

Grocery News

TDU Growing in Southern California.

The first-ever Southern California TDU grocery meetings were held March 12. This report comes from TDU Western Area Organizer Doug Allan:

Some 80 Teamsters attended the two meetings, plus several spouses and children. Some of the children were pre- or early teens. It was a delight to have these children listen with interest to what was probably their first contact with the union movement. This is what TDU is all about, Teamster families joining together for the good of all workers and their families.

The meeting was organized by four dedicated Teamsters: Chuck Bonham and Carl Reeves from Albertson's, and Paul Weakley and Lambros Sargen from Certified Grocers. Workers from Alpha Beta, Albertson's, Certified and Rykoff attended, representing Locals 630, 848 and 952.

Chuck Bonham, who had never run a meeting before, chaired the meeting and did a great job. The first speakers were TDU organizer Doug Allan and TDU Southern Cal Chapter steering-committee member Bob Ellerman, who explained the history of our movement and the importance of rank and file organizing.

Paul Weakley started the discussion about the Southern Cal regional grocery contract. Guest speaker Mike O'Brien, a steward at Certified Grocers in Stockton, explained how important it is for grocery Teamsters in Northern and Southern California to have continuing communication, as contracts in each area expire this year. There is no better way to have this communication than through TDU."If we don't stick together, then one at a time we're going to be knocked off," Mike said. "It's always been Teamster against Teamster. The companies have always manipulated us. That's why I'm saying let's get together so we can fight the companies."

Mike further pointed out the importance of a rank-and-file newsletter in Southern California, to build unity. During the 1985 Southern Cal contract negotiations, union officials lied to members about what other locals were doing. With a rank-and-file newsletter keeping members informed, this will not happen again.

After Mike's talk, a committee formed to start a grocery newsletter in Southern California, and to have ongoing communication with grocery Teamsters in Northern California.

Many of the members present joined TDU, and more people joined several days later.

Grocery employers in California should beware. Teamsters are joining together through TDU to fight for a better contract. The workers' bag is empty. They cannot give any more, and it is time for the employees to receive.

Two-Tier Wages Hurting Super Valu in Oregon.

In September 1986, Super Valu's West Coast grocery division won a permanent two-tier from Salem, Oregon, Local 324. Under the agreement, new drivers start at $10.15 an hour and go through a year's progression to a top rate of $12.15, while senior drivers make $14.69. New hires also receive lower mileage pay: they follow a progression to 26 cents per mile, while senior drivers get 27 cents for outbound trips over 320 miles, and 30 cents for shorter trips.

Reports are that the company is now having trouble hiring drivers at those wages, and is willing to drop the 4/10 work week in order to attract new hires. As of yet, they haven't offered to increase the pay, or to do away with the permanent two-tier.

Productivity Scheme.

Do your union officers protect you from management's inhuman productivity schemes? Recently, the National Grocers Association held a panel discussion on productivity. Jackson Grayson, president of the American Productivity Council, advocated that management should get unions to help implement these systems. "The people at the top of the international unions are not anti-productivity," he said. "If you bring the unions in early and involve them from the start, the barriers will fall."

In other management news, Super Valu's net earnings for the year ending Feb. 27 were a record $111.8 million. This was a 25% increase from the year before. ... Fleming has taken an aggressive bargaining stance nationwide, and imposed concessions in California and Oregon. At the same time, the company has announced that it will spend $80 million on capital expenditures (mostly construction and expansion of warehouses) in 1988. This is more than double what they spent in 1986. ... Lucky Stores, the nation's sixth largest retailer, has rejected a $1.9 billion takeover offer by American Stores. It is unclear if American will continue its effort to buy Lucky. Meanwhile, Lucky will apparently not succeed in its attempt to buy Ralphs (the fourteenth largest retailer). Ralphs' new parent, the Campeau Corp., has said the company is no longer for sale

A Growing Force in the Grocery Industry.

Grocery Teamsters are building TDU and rank and file solidarity nationwide. If you haven't joined us yet, fill out the coupon on page 1 today.

We Need Organizing, Not Panic

Shea Opens Carhaul Negotiations on Weak Note

Our top Teamster officials have opened the carhaul negotiations with two messages—one printed in the union magazine and one through the rumor mill. The bottom line is that we'll have to put on more pressure through our local unions and through our votes before negotiations get serious about the concerns of the rank and file.

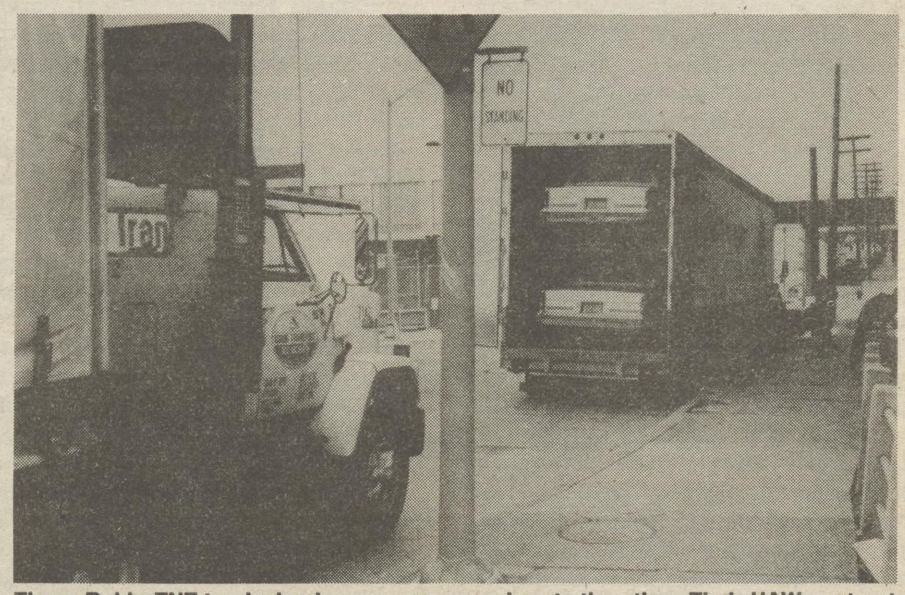
The first message from Walter Shea, the top union negotiator, was "panic," printed in the April issue of the *International Teamster*. For the second straight month the union gave the members no real information about negotiations. Instead, we read reports about the imminent threat of the railroads. This would have been more impressive if we had not learned from a 35-year Teamster BA who was in negotiations in 1982 and 1985 that Shea had delivered the exact same message then, with audio-visual aids.

Isn't it strange that Mr. Shea has never once appeared with his pro-concessions sales pitch at a meeting of rank and file carhaulers. But, of course, Shea has never appeared at any meeting of rank and file carhaulers.

He has brought six contract proposals to carhaulers for a vote since 1976. Only in the depths of the 1982 recession and after a three-week strike in 1985 were two out of Shea's six contracts able to muster a majority vote. If he were a high school basketball coach he'd be fired.

Under the Carhaulers Coordinating Committee proposals our negotiating committees for each area supplement and for the national agreement would be elected by the rank and file.

The second message, through the rumor mill, is that BAs across the country have told alarming stories about the contract between the UAW and Robin-TNT, which hauls cars one-way and parts the other. The rigs, pictured here, usually haul six units on bi-level ramps that are lowered on screw jacks. Carhaul management reportedly threw the UAW contract on the table and demanded concessions to meet the "competition," which splits 34 cents to 36 cents per mile on sleeper teams and gets just $7.50 to $10 for breakdown and yard work. For several reasons, this rumor has the rotten smell of an excuse for a weak contract. Before we vote to cut our wages, we should consider the following.



These Robin-TNT trucks haul cars one way and parts the other. Their UAW contract is no excuse for IBT wage cuts.

• Hauling six to eight units, is the major question here cost competition?

• Since two of the UAW locals involved are in Lansing, Mich., and Oklahoma City, how does it happen they joined the UAW instead of the IBT? Maybe the IBT "bigwigs" involved, Charlie Thompson of Oklahoma Local 886 and co-chair of the Central/Southern panel and Nellie McKim of Lansing Local 580, were spending too much time at various Arizona and Florida resorts.

• Although Robin-TNT is being used as a threat in some limited areas, like an E&L proposed slip-seat interchange with Canada, instead of leaping to cut our wages it seems we might approach the UAW and the Robin-TNT drivers about how we can raise their pay and get them in the IBT when their contract expires in less than two years.

To deal with new technology and wage competition takes an ongoing program to defend our jurisdiction, to consider and decide on adjustments we need to make in our contracts, and to choose leaders who can do that job. We need organizing, not panic. We need information, not excuses. We need leaders, not dictators. We won't get those without a fight. But these didn't become good jobs without a fight in the past and they won't stay good jobs now without a struggle.

How to Keep the Carhaul Industry Unionized

A small but growing non-union threat in various sections of the carhaul industry has produced panic-mongering and wage-cut mania among some union officials. We think there is a different answer—organizing.

The **truckaway section** of carhaul is still overwhelmingly unionized. We cannot take this strength for granted. In the **heavy truck driveaway** section of our industry, where less investment is required, non-union competition has weakened bargaining power and lead to inferior contracts. **Rail loading, inspection and yard work** are under a serious attack in several areas.

We don't think organizing will come easily, or quickly. We don't think rank and file members can just leave it to their BAs. We think it will take money, but a whole lot less money than wage cuts would add up to.

It will also take leadership within our union. The Carhaulers Coordinating Committee believes effective, accountable leadership at all levels is essential to protect carhaul Teamsters. That's just one more reason we believe that winning the right to elect the officials who negotiate and enforce our contract is the single most important goal we can have.

The question for carhaulers is how can we make our union leadership do its job and how can we help them do it effectively. We don't have a complete answer, but we think the following points are important.

• Successful organizing takes teamwork between knowledgeable rank and file members and the best available professionals. The success rate of union officials' family members is definitely lower. Imagine if the Teamsters Union selected the best organizers from among its members, hired the best professional lawyers and researchers, put them through a training program together, and had them available as a team to send into any non-union situation. Imagine if the union had a list of volunteers willing to go on a union leave from their regular job and take a job, with a pay subsidy, at a non-union outfit to organize from the inside. If the union could convince members that this program was too expensive, we know members would support a special fund for such projects.

• The simple existence of such a program would make employers, railroads and shippers think twice about trying to go non-union. Some successes would be quick. Some would take more time. But all would increase the cost of bucking our union.

• Cutting our pay to try and match non-union only makes organizing them into the union more difficult. Wage cuts in freight have left some union carriers paying less than some non-union carriers. That can only hurt organizing.

• Organizing can't be solved just at a local level. Everyone knows that the failure to organize Centurion in its original base, Jacksonville, Fla., was affected by the incompetent image of Frank Pendleton, head of Local 512. The new Las Vegas railhead (see box) may be small. The dues at stake may not mean much to the Las Vegas local. That local may be unfamiliar with carhaul. But a non-union rail head is a threat to every carhauler so organizing must be handled on a coordinated basis.

To give another example, the non-union threat in heavy truck driveaway didn't start in Teamster strongholds. It gathered strength on the fringes. Effective organizing must recognize the threat and meet it early.

Coordination is also important because we are dealing with national companies, even where a "small" number of jobs is at stake. For example, Intermodal Transportation Services is a non-union subcontractor taking inspection and yard jobs a few at a time in terminals coast to coast. In this regard, the practice of using part-time, incentive-paid yard workers was first introduced by Charles Thompson, head of the Oklahoma City local and a co-chairman of the Central/Southern negotiating and grievance committees.

New Freemack Rail Head in Las Vegas

Freemack, the non-union rail-loading outfit we've covered before is reportedly expanding. Blair Addeway, a former PMT boss, has moved to Freemack's new rail head in Las Vegas, where they've bought a couple of trucks and are handling GM traffic previously covered by CCI out of Phoenix.

Phoenix TM, Luis Procopio, says Union Pacific R.R. is backing the deal and also mentions an operation in Omaha.

Damned if you do at E&L

How does it happen that management almost always comes out the winner? Last year the rate for an E&L shuttle run to a rail head outside Detroit was lowered. Management was allowed to go back and get the extra money. This year management unilaterally imposed a $3.05 per car rate on the shuttle from Mazda's Flatrock, Mich., plant. This was raised in negotiation to the modest sum of $4 per car. E&L drivers are furious that the grievance panel denied their request for retroactive pay.

More Whipsawing from Ryder?

Ryder Systems is up to a strange trick involving new terminals of its new subsidiary, **Convoy, in Chicago and Wentzville, Mo.** There is only one driver in Chicago. He is under intense pressure to become an owner-operator under a lease that violates the contract and the law in dozens of ways.

Ryder is also advertising for five owner-operators to haul Toyotas out of a rail head at the Wentzville GM plant. It is certain Ryder will then use the substandard leases to whipsaw its present owner-operators and then later to whipsaw company drivers. More details in a future issue.

Southern Conference Selling Used Contracts

Matlack Drivers Combat Union Busting

Matlack tank line drivers across the Southern Conference have twice rejected "final offers" on their contract and may soon get a third. Meanwhile, Matlack drivers on the West Coast find that they may be divided into four separate units.

In late February southern Matlack drivers overwhelmingly rejected an insulting contract offer with substandard H&W and pension benefits and a wage freeze of 25 cents per mile until 1991. Southern Conference official Jerry Cook and Nolan LeBlanc of Local 270 did their best to sell the deal for the corporation. LeBlanc told Louisiana Teamsters that there would be no more negotiations, that a NO vote would lead to an immediate strike, that Matlack said it could not afford to operate with any raises and that "we have no reason to doubt their word." Keep in mind these two Teamster officials make upwards of $100,000 a year and enjoy four pension plans, while lying to sell concessions to those who pay those luxury salaries and perks.

The members had the intelligence to stop that deal, and some local officials backed them up, including those in Texas. Unfortunately, LeBlanc and Cook ran the same scam on Chemical Leaman drivers and got it approved. But to do this dirty work, they let non-union owner-operators vote, and the corporation announced the contract was ratified before the Houston area drivers had even tallied their votes.

By March another "final offer" came from Matlack, with better benefits. Now drivers were offered top H&W, but still a substandard pension of $61 a week. (UPS is at $73 a week.) But there were cuts in wages to fund the benefits! Again the members said NO to a "final offer."

In late April the word is Matlack will offer no more and a strike may be called. If a strike is called by the union, it should be called to win. The way to hit Matlack is by extending pickets to all its terminals nationwide. This is 100% legal and covered under union contracts. Any strike that doesn't seriously hurt them would only function to wear down the members into buying the same deal.

The rank and file are making reasonable and conservative demands. The Gonzales, La., drivers have set minimum demands of top benefits, wage increases to 28 cents per mile on singles, 31 cents per mile on doubles and decent paid-for time rules. So far the drivers have shown solidarity and hopefully will win their demands.

On the West Coast, Matlack drivers also are saddled with a $100,000 union official known to frequent the employers' bed: International Rep Roy Nunes. Bargaining is set to begin and the union has agreed to permit four separate units: Southern California, Northern California, Oregon and Washington. The rank and file should insist on coordinated bargaining and a solidarity-pact: if anyone strikes, all respect the picket lines. This is the only way to preserve bargaining power and avoid having one area pitted against another. TDUers and other Teamsters in both conferences are working to establish strong rank and file links to make this possible.

Plan Now for 1991 IBT Convention

Doug Allan, Local 208
TDU Western Area Organizer
'81, '86 IBT Convention Delegate

We are frequently asked, "How did Presser and Mathis get to the top of our union?" And, "Why does it take only one-third to ratify a concessionary contract?" The answer to these and many other questions lies in the IBT Constitution and at the IBT Convention.

The next Convention will be held in May 1991. Every article in our Constitution will be up for review. We could pass majority rule on contracts and the right to vote on supplements to contracts. We could increase strike benefits. We could budget money to organize the unorganized instead of wasting it on jet planes and fat salaries for a few. And we could pass the Right to Vote for International Officers!

But we will need to have a majority of delegates vote to make a change, and most of those delegates are officers of local unions, including yours.

Article III, Section 2 of the Constitution states, in part, "Each Local Union having one thousand (1,000) members or less shall be entitled to one (1) delegate, and one (1) delegate for each additional seven hundred fifty (750) members or major fraction thereof." For example, a local with 4,000 members would have five delegates.

Some of you may ask, What does this have to do with me? The answer is, plenty! For instance, the next election would be a good time to run for office. You can tell your members that you will stand up and vote at the Convention in favor of the right to vote for all officers, from steward to general president, thereby giving the members the opportunity to clean up our union.

If you are not running for office, but are concerned about our union, you will be able to ask those who are running what stand they will take at the Convention. If they are not willing to take a stand in favor of the rank and file having the right to vote on all officers, then you can vote against them.

We must use this vote in the best way we can. Find out candidates' positions, save their campaign material, and if they do not live up to their promises, vote them out next time. Our vote is our most valuable tool. Use it wisely.

TDU members rally for the right to vote outside the 1986 IBT Convention in Las Vegas.

Goons Cost Local 63 Damages of $570,000

Los Angeles TDU Chapter

A federal court jury in Santa Ana, Calif., Feb. 25 ordered Teamster Local 63 of Los Angeles to pay $570,000 in damages to nine Local 63 Teamsters. This money will be paid out of the union treasury because of goon squad activity two years ago. Instead of our well-paid officials paying it, the members will have to.

Ten or 12 members approached the Local 63 union hall in Montebello on Nov. 2, 1985, on their way to nominate their slate of seven candidates in opposition to the present executive board. Some 30 people wearing secretary-treasurer Bob Marciel's re-election T-shirts, including the hiring hall dispatcher, attacked them, injuring nine. One member, Harry Rodriguez, was stabbed with an ice pick. Jim Bender was beaten unconscious. Jack Douglas was kicked in the head while on the ground. The others were less seriously injured.

Drinking is not allowed on the union premises. But on the day of the nominations, alcohol was flowing there like water. You might guess who bought the liquor.

The attack on these members was horrible. But the damage was more than to these nine. It was to our union. We in California are proud that goon activity is not prevalent here. This is not Ohio or New Jersey or Chicago. The image of our union has been dragged through the mud.

The jury did not find Bob Marciel personally guilty of perpetrating the attack. We do not know who planned it. But we do know that as the executive officer of Local 63, it is his responsibility to maintain a democratic environment, and to keep his friends and supporters from goon activity. It is the responsibility of union leadership to protect the rights of the members, and to encourage their participation. This also applies to the leaders of J.C. 42 as well. The jury deadlocked on finding J.C. 42 liable, but the fact remains that they took no action to investigate or punish those responsible.

We hear that Local 63 is going to appeal the case. This means more legal fees will be paid by the members (not the officials) and it will drag on, generate more publicity and lower our image further. We would suggest the membership be permitted a vote on whether or not to appeal.

The membership of Local 63 and other L.A. Teamsters are fed up with goon activity and the harm that has been done to our union. We are angry that we are paying the $570,000, not the officials. We are sick of decisions to appeal this endlessly. We intend to change this situation, and never succumb to being scared off by bullying tactics. We are proud Teamsters.

TDU Meets

Atlanta
Saturday, May 7
7:30 p.m.
College Park Fire Department
Sullivan Road
College Park, Ga.

Delaware Valley
Sunday, May 22
11:30 a.m.
General meeting and election of chapter officers
1501 Cherry St.
Philadelphia, Pa.
Information: (215) 724-1571
or (609) 478-2879

Norfolk, Va.
Saturday, May 7
Time and place to be announced
Information: (202) 785-3707

Seattle
Saturday, April 23
10 a.m. - Noon
Guest Speaker: Doug Allan, TDU Western Area Organizer
El Centro de la Raza
2524 16th South
Seattle, Wa.

St. Louis
Sunday, May 15
Noon
Amvets Post 88
8449 N. Broadway
St. Louis, Mo.

Spokane
Sunday, April 24
10 a.m.
Guest Speaker: Doug Allan, TDU Western Area Organizer
Spokane Fireman's Credit Union
N. 2004 Hamilton Street
Spokane, Wa.

Freight Teamsters Say 'Time to Start Winning'

Opposition Builds from Coast to Coast

If the membership vote on the master freight contract had been taken at our union halls April 9-10, as it should have been, the proposed tentative agreement would have been rejected, and right now the parties would be back at the bargaining table. A better contract would be in the making.

Those meetings showed an unprecedented number of major freight-local leaders coming out squarely against this deal, and with members in most locals saying, as one TDUer put it, "It's time to stop losing and start winning."

A factor at over 100 major locals was TDU's ability to get the contract and the supplements, prepare an analysis, print 40,000 bulletins and air express them to Teamsters across the nation, all in one day! This is the value of an organization like TDU.

Central Conference

Most of the large locals came out strong and will deliver big NO votes. At the largest, **Detroit Local 299,** nearly 1,000 Teamsters at two meetings voted unanimously to send it back to the table. Local 299 officers appeared on all major TV stations and in both newspapers to attack the settlement, citting the problems of double-breasting and abuse of casuals, and calling for total elimination of the two tier. A motion by TDU member Pete Camarata two months ago put the local on record on these matters and the officers have vowed to follow it through. President Ron Owens offered to travel to other locals to speak out.

Indianapolis Local 135 had over 1,000 Teamsters at two meetings come to their feet in a standing ovation for a motion to send it back. President John Neal stated, "It's time to take the employers on!"

Ft. Wayne Local 414 had some 200 members at two meetings, and the local president put out a letter in opposition to the deal. **CF drivers and dockmen** at the Fremont breakbulk are heavily opposed, and throughout the CF system the same report came back. At the **Peru, Ill.,** breakbulk, CF Teamsters are joining TDU and spreading the word.

In Presser's home town, Cleveland Local 407 had a unanimous vote of 500 members against the agreement, with solid opposition from the executive board. Strike sentiment was evident, as members are eager to take on the Big Three carriers.

Columbus Local 413 had 1,000 members in solid opposition at two meetings, one so big it had to be held outside. President Jerry Payne summed it up, saying, "I wouldn't vote for this s.o.b."

Joplin, Mo., Local 823 president Gordon Sweeton intelligently advised his members to launch a campaign to win **majority rule** on contracts. Opposition is strong in this area.

Throughout the Central and Southern Conferences and Carolinas, members were expecting the usual trick of announcing "new" **Central States pension** benefits in the ballot envelope, but were not ready for a **zero increase in 30-and-out.** All increases are tied to age and are far less than expected, especially with the wage diversion to Central States. (See page 1.)

Not all big Central Conference locals came out against. For example, 1,000 Teamsters in **St. Louis Local 600** heard their officers give a glowing report, and many were buying it. TDU organizer Ken Paff noted, "A few weeks ago I was in St. Louis and had the pleasure of addressing a large number of fine stewards there. They said they realized how wrong they were to be sold a bill of goods last time. I just hope they don't do it again. Our people there have widely distributed TDU bulletins, so they should know the facts."

Many local officers took no stand. Such was the case in **Davenport, Iowa - Rock Island, Ill., Local 371,** but members' opposition is strong. Transcon steward Charlie Oviatt advised, "The best position for any union man is to vote NO and send it back to the table."

Eastern Conference

In **Boston Local 25,** 300 members heard even International VP Billy McCarthy recommend a NO vote, saying these were "the worst negotiations I've ever seen." Every major **New England** local came out against it. **Springfield 404** members and officers voted unanimously against it. So did 400 members and officers in **Rhode Island Local 251;** 200 members and officers in **Bridgeport, Conn., Local 191;** and hundreds of members and officers in **Hartford Local 671; Worcester, Mass., Local 170; Waterbury, Conn., Local 677; Brockton, Mass., Local 653; New Bedford Local 526,** and others.

In the **N.Y.—N.J. Supplement,** officers of all nine locals—445, 478, 560, 617, 641, 701, 707, 807 and 816—issued a bulletin: "To suggest to any member in any area to ratify this contract would be treating all Teamsters like second class citizens. When you receive your ballot from the International, don't be fooled like you were three years ago, read the small print. ... vote No."

ONE YEAR LATER...
IT'S FULL SPEED WITH OUR NON-UNION DIVISION
MORE CASUALS, CHEAPER!
DON'T LET 'EM SEE US SMILING!
WE CAN CUT JOBS TO GET THE 35¢ BACK MANY TIMES!
MAYBE I CAN GET YOU ON AT CONWAY, BLOCK!

Meetings in these areas were large and militant. **Local 641** president Sonny Musso told 500 Teamsters he recommended a NO vote and they voted unanimously against. He then traveled to speak to large meetings at **Locals 560 and 701,** where they voted NO unanimously. The issues here are the lousy treatment of their supplement as well as profit-sharing, modified work, casual abuse, the phony "cost of living clause" and no action on double-breasting.

Opposition was also strong at meetings in **Pennsylvania. Pittsburgh** and Western Pennsylvania **Locals 261 and 30** meetings were solidly opposed, officers included. **Philadelphia Local 107** was opposed.

In **Central Pennsylvania, Allentown Local 773** officers and members were opposed and voted to send a letter out informing all members. **Scranton Local 229's** president said, "If I were a 100%er I would vote NO." But a survey of the meeting showed that half those present were 70-80-90%ers and the vote on the deal was a unanimous NO.

Baltimore Local 557 had a meeting of 600 vote unanimously NO in agreement with the officers, who had prepared and distributed the full text of the NMFA and supplement changes.

Buffalo Local 375's large meeting and **Rochester Local 118** both voted unanimously to reject, officers and members. Some smaller locals such as **Elmira, N.Y., Local 529** recommended NO and opposition seems solid. **Albany Local 294** officials tried to sell the deal, even stating that the 15% wage-cut deal in Article 6 was a good improvement!

In **North Carolina Local 391,** International officer R.V. Durham did his best to sell it and even claimed there are "no concessions." Honesty is not a strong point here. In **Charlotte, N.C., Local 71,** the three meetings were a sales job, but opposition is running strong. Can these freight members match the 5-1 rejection of the similar UPS contract in this local seven months ago?

Southern Conference

In **Atlanta Local 728,** local president Weldon Mathis failed to show and sent a boy to do a man's job. His son, Lamar, had more than he could handle with 1,000 angry Teamsters at two meetings (city and road). Lamar began the city meeting with, "Don't read that TDU propaganda," because all present were reviewing the TDU bulletin. His brilliant remarks included, "You're getting a 35-cent raise and TDU is still recommending a NO vote," and, "I talked to Weldon and he highly recommended it, so we highly recommend it." Members spoke out on the various concessions, dissatisfaction with the pension, and failure to deal with major issues. Mathis said he would "not allow any vote," otherwise a motion to send it back would have passed overwhelmingly. At the second (road) meeting, Lamar gave up trying to sell it. It was a lost cause.

In **Houston Local 988,** 300 members voted unanimously NO, and president Richard Hammond put out a letter urging rejection and stating that members should look beyond the monetary issues.

In a number of locals, officers were selling but members weren't buying. In **Memphis Local 667** hundreds of Teamsters attended five meetings with strong opposition spreading. In **Mississippi Local 891** it was the same story of a sales job with few buyers. Concern here includes the diversion of union jobs to "shiny wheels," and the lack of even one word to deal with this major problem. Naturally, Sell-Out King International VP Don West of **Alabama 612** was selling used contracts also, but opposition is strong across the South.

In **Tampa Local 79,** it was no stand from the officers, but strong opposition from the members. Officers were impressed that TDU bulletins were on hand at this Friday meeting, just 24 hours after the terms were given to local officials in Chicago.

Western Conference

Los Angeles seems solidly opposed. Officers of **Local 63,** the largest freight local in the West, recommended against the contract. Three meetings in L.A., Barstow and Rialto agreed. **Local 208** members and executive board were in unanimous opposition.

Long Beach Local 692's meeting took up the issue of discrimination against office workers in this deal. The **Western Conference Office Supplement** contains a permanent two-tier (Appendix C), so Teamsters hired after April 1, 1985, never catch up! The only group of Teamsters under this contract who are mostly women find this deal slapped in their faces. Members of Locals 63, 692 and others have vowed to vote NO in solidarity with this group of Teamsters. A campaign to change this rip-off is beginning in Southern California TDU.

San Diego Local 542 had no stand from the officers but considerable interest in TDU bulletins, the first time they've been widely distributed here. **Sacramento Local 150** had some 400 attend three meetings and heard a clear analysis of the deal from their officers. Sentiment runs strong against the contract.

In the **Bay Area Locals 70, 287 and 85,** officers were pushing the agreement on the grounds that the better conditions of the J.C. 7 Bay Area Supplement were not given away by the International. Now there's a sorry reason to back a national contract. Opposition runs strong among the rank and file, however, TDUers distributing bulletins report.

The **Seattle Local 741** secretary-treasurer gave this appraisal to 125 members: "Not a good contract, not a bad contract." A lot of us are tired of this and want contracts (and leaders) we are proud to say are good!

In **Arizona Local 104** the officers should have gotten an Academy Award for Best Supporting Role in Selling a Bad Contract. At the Flagstaff meeting they even claimed the Article 14 concessions on "modified work" at $5 an hour are a plus for the union. But at Phoenix and other meetings, TDUers were prepared to speak and opposition is strong.

In some areas like **Denver Locals 17 and 961** and **Salt Lake Local 222** officers were selling and some members were buying, but TDUers have bulletins out throughout the Rocky Mountain region and there is considerable opposition. **New Mexico Local 492** TDUers got out 1,000 bulletins. Over 300 attended meetings, where officers told them that some of the concessions may be hard to live with but should be accepted.